

W. DOUGLAS SPRAGUE (Cal. Bar No. 202121)
DAVID GRADY JUNG (Cal. Bar No. 314508)
RAINA BHATT (Cal. Bar No. 319435)
COVINGTON & BURLING LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
Attorneys for Claimant Zachary Apte

JOEL M. HAMMERMAN (*Pro Hac Vice*)
JOSHUA P. MAHONEY (*Pro Hac Vice*)
SOPHIE GOTLIEB (*Pro Hac Vice*)
TARIFA B LADDON (Cal. Bar No. 240419)
FAEGRE DRINKER BIDDLE & REATH LLP
1800 Century Park East, Ste. 1500
Los Angeles, California 90067
Attorneys for Claimant Jessica Richman

ANTHONY J. BRASS (Cal. Bar No. 173302)
3223 Webster Street
San Francisco, CA 94123
*Attorney for Claimant Gabriel Ceriotti, Trustee,
465 Ocean Land Trust*

CHRIS KALTSAS (NYBN 5460902)
Assistant United States Attorney
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
Email: chris.kaltsas2@usdoj.gov
Attorney for United States of America

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TWO CONDOMINIUMS LOCATED AT
465 OCEAN DRIVE, UNITS 315 AND 316,
MIAMI BEACH, FLORIDA 33139,

Defendant

ZACHARY APTE,

JESSICA RICHMAN, and

465 OCEAN LAND TRUST,

Claimants.

Case No.: 21-CV-04060 CRB

JOINT STATUS REPORT

1 Plaintiff United States of America (the “United States”) and claimants Dr. Zachary Apte, Dr.
2 Jessica Richman, and the 465 Ocean Land Trust (collectively, “Claimants” and with the United States,
3 the “Parties”), through their counsel of record, file this joint status report in response to the Court’s
4 August 29, 2022, notice. Dkt. 58.

5 1. On May 27, 2021, the United States filed a verified complaint for civil forfeiture *in rem*
6 against the Defendant Properties. Dkt. 1. The Court granted Claimants’ motions to dismiss that
7 complaint on August 26, 2021. Dkt. 34. The United States filed an amended verified complaint for civil
8 forfeiture *in rem* against the Defendant Properties on September 24, 2021. Dkt. 35. The United States
9 provided notice to the Claimants, who are the only identifiable claimants to the Defendant Properties.

10 2. Claimants filed timely statements of claim to the Defendant Properties, stating that
11 Dr. Apte and Dr. Richman are each fifty percent beneficiaries to a Florida land trust named the
12 465 Ocean Land Trust, dated February 4, 2020, that holds the Defendant Properties in trust.
13 Dkt. 15, 17-18, 45-47.

14 3. On October 18, 2021, the United States filed a motion to strike the Claimants’ claims
15 pursuant to the fugitive disentitlement doctrine and for lack of standing. Dkt. 40. On November 15,
16 2021, Claimants filed a motion to dismiss government’s first amended verified complaint for civil
17 forfeiture and a memorandum in opposition to the United States’ motion to strike their claims. Dkt. 53.
18 Claimants deny they engaged in unlawful conduct and deny that the Defendant Properties are subject to
19 forfeiture.

20 4. On December 8, 2021, the Court granted the parties’ Joint Stipulation Regarding Stay of
21 the Briefing Schedule Pending Settlement Discussions. Dkt. 57.

22 5. Since the entry of the stay, the parties have been regularly engaged in productive
23 settlement discussions and have reached an agreement in principle. The parties anticipate finalizing the
24 resolution within the next 21 days.

25 6. As a result, the parties request that the Court continue the stay in this case and set an
26 additional joint status report for no later than January 6, 2023.

1 Dated: December 9, 2022

By: /s/ W. Douglas Sprague
W. Douglas Sprague
David Grady Jung
Raina Bhatt
Attorneys for Claimant Zachary Apte

5 Dated: December 9, 2022

By: /s/ Joel M. Hammerman
Joel M. Hammerman
Joshua Mahoney
Tarifa B. Laddon
Attorneys for Claimant Jessica Richman

11 Dated: December 9, 2022

By: /s/ Anthony J. Brass
Anthony J. Brass
Attorney for Claimant Gabriel Ceriotti

14 Dated: December 9, 2022

By: /s/ Chris Kaltsas
Chris Kaltsas
Attorney for United States of America

FILER'S ATTESTATION

Pursuant to Civil L.R. 5-1(h)(3), W. Douglas Sprague hereby attests that concurrence in the filing of this document has been obtained from each of the above signatories.

Dated: December 9, 2022

By: /s/ W. Douglas Sprague